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**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BUTTE DIVISION**

GINA JAEGER, individually, AND AS	)	Cause No. CV-16-30-BU-SEH
PERSONAL REPRESENTATIVE OF	)	
THE ESTATE OF HER SISTER	)	
CHARLENE HILL,	)	<b>SECOND JOINT STATUS</b>
	)	<b>REPORT</b>
Plaintiff,	)	
	)	
vs.	)	
	)	
PEAK MONTANA MEDICAL	)	
OPERATIONS, LLC,	)	
	)	
Defendant.	)	

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Pursuant to this Court's order dated March 10, 2017, the parties respectfully submit this Second Joint Status Report.

At the time of the previous Joint Status Report, the parties were awaiting the Ninth Circuit's determination as to whether it held jurisdiction over Plaintiff's appeal. Docket Entry No. 5, Order, Apr. 25, 2017. Counsel for Peak had proposed Dennis Lind of Datsopoulos, MacDonald & Lind as an arbitrator, pending the Ninth Circuit's decision regarding its jurisdiction. Doc. No. 108, Joint Status Report (June 9, 2017).

On March 7, 2017, Plaintiff commenced a Montana Medical Legal Panel ("MMLP") proceeding against the Butte Center's then-Medical Director, Dr. William Antonioli. The MMLP hearing took place on September 7, 2017.

The Ninth Circuit issued an order on July 28, 2017, dismissing the appeal for lack of jurisdiction. Docket Entry No. 9, Order, July 28, 2017. Counsel for Peak renewed their proposal of Dennis Lind as arbitrator on August 10, 2017. Counsel for Plaintiff proposed, and Peak agreed to, Tracy Axelberg, who has agreed to act as arbitrator.

Dated September 8, 2017

CROWLEY FLECK PLLP

By /s/ Brett P. Clark

Brett P. Clark

Attorneys for Peak Medical Montana Operations,  
LLC

TORGER OAAS

By /s/ Torger Oaas

Torger Oaas

Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of United States District Court for the District of Montana by using the CM/ECF system on September 8, 2017.

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

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/s/ Brett P. Clark

Brett P. Clark